

REMARKS

In the non-final Office Action dated May 21, 2002, the Examiner noted that claims 1-37 are pending in the application and stand rejected. Applicants request reconsideration of the application in view of the foregoing amendments and following remarks.

Claims 1-37 stand rejected under 35 USC § 102 as being anticipated by U.S. Patent No. 5,867,821 to Ballantyne. Applicants respectfully traverse this rejection as applied to the claims as amended.

Applicants submit that amended claim 1 is not anticipated by Ballantyne at least by reciting "logic for controlling the health test interface to perform measurements on a user to acquire health test measurement data." In this regard, Ballantyne permits entry of certain patient information, but fails to disclose logic for controlling a health care interface, such as blood pressure measurement equipment, "to perform measurements on a user" to acquire health test measurement data. Accordingly, Applicants submit that Ballantyne does not anticipate claim 1. Withdrawal of the rejection of claim 1 is requested.

Claims 2-13 depend upon claim 1 and are allowable for at least the same reasons as claim 1 is allowable. These claims, as amended, also recite additional features not disclosed by Ballantyne. For example, claim 4 recites that the health test interface "comprises blood pressure measuring equipment" and claim 6 recites that the measurement interface comprises "weight measuring equipment." Applicants submit that Ballantyne fails to teach or suggest such blood pressure measuring or weight measuring equipment. Withdrawal of the rejection of claims 2-13 is requested.

Independent claim 14 is not anticipated by Ballantyne at least by reciting "the health care kiosks including a controller and diagnostic equipment coupled to the controller, the controller having a capability to appraise user health care risk on the basis of diagnostic test data acquired at the health care kiosk by the diagnostic equipment." In this regard, Ballantyne discloses kiosks 216 that consist of "a PC, a monitor, and a CD-ROM player." (Ballantyne, Col. 17, Lines 24-27). In contrast, claim 14 requires that kiosks include diagnostic equipment coupled to a controller. Because Ballantyne fails to teach or suggest a kiosk comprising such diagnostic equipment coupled to a controller, Applicants submit that Ballantyne does not anticipate claim 14. Withdrawal of the rejection of claim 14 is requested.

Claims 15-23 depend upon claim 14 and are allowable for at least the same reasons as claim 14 is allowable. These claims also recite additional features not disclosed by Ballantyne. For example, claim 17 recites that the diagnostic equipment "is capable of measuring user blood pressure and heart rate." Claim 18 recites that the diagnostic equipment "is capable of measuring user body weight." Accordingly, Applicants request withdrawal of the rejection of claim 15-23.

Applicants submit that independent claim 24 is not anticipated by Ballantyne by reciting "executing instructions at the controller including: controlling the diagnostic equipment to perform a health test measurement on a user." Ballantyne fails to teach or suggest any diagnostic equipment coupled to a controller for performing a health test measurement, such as a blood pressure measurement, on a user. Indeed, the Ballantyne system does not include diagnostic equipment coupled thereto. Hence, Ballantyne does not anticipate claim 24 as amended. Withdrawal of the rejection of claim 24 is requested.

Claims 25-35 depend upon claim 24 and are allowable for at least the same reasons as claim 24 is allowable. These claims also recite additional features not disclosed by Ballantyne. For example, claims 28 and 29 recite "executing instructions at the controller further including: controlling the measurement interface to perform a measurement." Withdrawal of the rejection of claims 25-35 is requested.

Applicants submit that independent claim 36 is not anticipated by Ballantyne at least by reciting "executing instructions at the controller further including: controlling the measurement interface to perform a weight measurement giving a weight measurement result for a user." Ballantyne fails to disclose controlling a measurement interface to perform a weight measurement. Accordingly, Ballantyne does not anticipate claim 36. Withdrawal of the rejection of claim 36 is requested.

Applicants are amending claim 37 to recite:

- using the blood pressure measurement equipment to acquire a first measurement of blood pressure for a user;
- storing the first measurement of blood pressure for the user at a remote server;
- using the blood pressure measurement equipment to acquire subsequent measurements of blood pressure for the user;
- storing the subsequent measurements of blood pressure for the user at the remote server;

generating a user blood pressure history by retrieving the first and subsequent measurements of blood pressure for the user from the remote server;

displaying the user blood pressure history to the user, each entry of the user blood pressure history comprising a date and a blood pressure measurement associated with the date.

Applicants submit that Ballantyne does not disclose storing first and subsequent user blood pressure measurements at a remote server and generating and displaying a user blood pressure history by retrieving the stored measurements from the remote server, where each entry of the user blood pressure history comprises a date and a blood pressure measurement associated with the date. Accordingly, Applicants submit that amended claim 37 is not anticipated by Ballantyne.

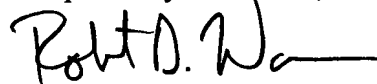
CONCLUSION

The application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is requested to telephone the undersigned at (415) 217-6000.

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Respectfully submitted,



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